

## INFORMATION NEEDED TO DETERMINE APPLICABILITY OF THE EPA'S AUDIT POLICY

This document is provided by the EPA to be used to disclose voluntarily a violation under the Audit Policy (*Incentives for Self-Policing: Discovery, Disclosure, Correction, and Prevention of Violations; Notice*, 65 Federal Register 19618 (Apr. 11, 2000)). It is not required that this format be used; however, it is recommended as it will facilitate prompt processing of the self-disclosure. Voluntary self-disclosure in another format should include the information requested in this document. EPA recommends that voluntary disclosures be sent by certified mail to ensure that the disclosure is received by EPA.

<b>I. GENERAL INFORMATION.</b> Identify the specific location where the violation occurred. It is very important to provide the name and phone number of a person who is authorized to answer questions about this self-disclosure.		
<b>Physical Location Where the Violation Occurred</b>		
Company Name: <b>Lawrence Technological University</b>		
Street Address: <b>21000 West Ten Mile Road</b>		
City: <b>Southfield</b>	State: <b>Michigan</b>	Zip: <b>48075-1058</b>
<b>Authorized Contact Person</b>		
Name: <b>Linda Height</b>		
Affiliation: <b>Vice President, Finance and Administration</b>		
Phone No.: <b>248.204.2159</b>	FAX No.: <b>248.204.2119</b>	e-mail: <b>lheight@ltu.edu</b>
Street Address: <b>21000 West Ten Mile Road</b>		
City: <b>Southfield</b>	State: <b>Michigan</b>	Zip: <b>48075-1058</b>
<b>II. SUMMARY OF THE DISCLOSURE.</b> Each violation should be described as completely as possible and include the following information. Complete this section for each violation that is being disclosed.		
Identify the nature of the violation (such as failure to submit required report, failure to obtain necessary permit, failure to install or operate control equipment, failure to keep necessary records, etc.).		
<b>See Schedule A.</b>		

**III. CONDITION 1 - SYSTEMATIC DISCOVERY.** This section asks disclosing parties to demonstrate that the violation was discovered through an environmental audit or a due diligence program. The EPA requires sufficient documentation to determine whether the basic criteria have been met.

Check whether the violation was discovered through an environmental audit or a due diligence program.

Environmental Audit: X

Due Diligence Program:

If the violation was discovered as part of an Environmental Audit, indicate how the audit meets the EPA's definition of auditing as a systematic, documented, periodic, and objective review:

A. Describe the audit system and procedures that were used, including checklists or protocols used by the auditors.

**EPA Audit Protocols, augmented by the experience of a professional environmental auditor, were converted to a software program and loaded on "tablet" computers for use in the field. The software provided "drop down" menus and checklists for the auditors.**

B. Describe the schedule for conducting audits.

**Between December 8 – 10, 2009.**

C. Describe the relationship between the facility and the person(s) responsible for conducting environmental audits and procedures for ensuring that auditor objectivity is not impaired.

**Lawrence Technological University was audited by "peer-auditors" Frederick Trexler of Spring Arbor University; and Lori Keen of Calvin College, and led by Jennifer D. Shea and Katie E. Duggan of HRP Associates, Inc., pursuant to the agreement between USEPA Region 5, the Michigan Colleges Foundation and Participating Institutions. No individual involved in this audit had any relationship with Lawrence Technological University.**

D. Has an audit been performed at this facility in the past?

**No, to the best of our knowledge.**

It is not required that the audit report be submitted.

<p>If the violation was discovered as a result of due diligence, provide evidence that your compliance program meets the EPA's definition of due diligence: N/A.</p> <p>A. Explain in detail how the company's practices and procedures leading to the discovery of the violation constitute due diligence.</p> <p>B. Describe the process for periodically reviewing, monitoring, and evaluating the due diligence program.</p>
<p>If the violation was discovered in a manner other than through an Environmental Audit or Due Diligence, describe the procedures used to discover the violation (note that a 75% penalty reduction is available even if the violation was not discovered through an Environmental Audit or Due Diligence procedure).</p> <p>N/A.</p>
<p>Identify the specific requirement involved (statute, rule, permit condition, order, etc.).</p> <p>See Schedule A.</p>
<p>Provide the date the violation was detected.</p> <p>The violations were detected by Lawrence Technological University when it received the Final Audit Report on May 4, 2010.</p>
<p>Identify who discovered the violation (production staff, environmental staff, corporate auditor, outside auditor, independent consultant, etc.).</p> <p>Outside peer-auditors.</p>
<p>Describe how the violation was detected.</p> <p>Environmental compliance audit.</p>

**IV. CONDITION 2 - VOLUNTARY DISCOVERY.** This section asks disclosing parties to state that the violation was voluntarily discovered, and not through a monitoring, sampling, or auditing procedure that is required by statute, regulation, permit, judicial or administrative order, or consent agreement. The Agency may ask for copies of permits, orders, or agreements at a later date if there is any reason to confirm whether the discovery was voluntary.

Was the violation detected by any pre-existing legally mandated monitoring, sampling, or auditing procedures?

No: **X**

Yes:

If yes, please describe the requirement.

**V. CONDITION 3 - PROMPT DISCLOSURE.** This section asks the disclosing party to demonstrate that the violation was disclosed within twenty one days after it has discovered that the violation has occurred or may have occurred.

Lawrence Technological University discovered the violations when it received the Final Audit Report on May 4, 2010. This disclosure is submitted to the EPA within twenty-one (21) days of Lawrence Technological University's receipt of the Final Audit Report which is on or before May 25, 2010.

**VI. CONDITION 4 - DISCOVERY AND DISCLOSURE INDEPENDENT OF GOVERNMENT OR THIRD PARTY PLAINTIFF.** This condition means that the disclosing party took the initiative to find violations and report them, rather than reacting to knowledge of a pending enforcement action or third party complaint. This section requests information pertaining to any government or third party action that has occurred prior to the disclosure of the violation.

Check all of these government or third party actions that occurred within 18 months prior to the disclosure:

State inspection

Local inspection

State, or local information request

Notice of a citizen suit

A legal complaint by a third-party

None.

**VII. CONDITION 5 - CORRECTION AND REMEDIATION.** This condition requires the disclosing party to expeditiously correct the violation and remedy any harm caused by that violation. This section asks for a description of how the violation was corrected and how any harm was remediated.

Has the violation been corrected?    ☒ No            Yes

See Schedule A.

If yes, when was it corrected? Describe how the violation has been corrected.

See Schedule A.

If no, provide an estimate of the length of time it will take to correct the violation. If more than 60 days will be needed to correct the violation, please explain the basis for this estimate and provide the opinion of any Technological or engineering expert relied upon to arrive at the estimate.

Lawrence Technological University has begun correcting the violations and expects most of the work will be completed within sixty (60) days of detecting the violations when it received the Final Audit Report. In the event that an extension is needed, Lawrence Technological University will apply for such an extension, in writing, as soon as the need is identified and, in any event, within the sixty (60) day period.

Describe any environmental or human harm caused by the violation, and any measures undertaken to remediate such harm.

None.

**VIII. CONDITION 6 - PREVENT RECURRENCE.** Describe what steps were taken to prevent recurrence of the violation and when those measures were implemented. If the measures have not yet been implemented, describe the implementation schedule.

See Schedule A. Lawrence Technological University has begun implementing steps to prevent recurrence and they will be completed with the corrective actions. They will be outlined in the Lawrence Technological University's closing report.

**IX. CONDITION 7 - NO REPEAT VIOLATIONS.** The same or closely related violation must not have occurred previously at this facility within the past 3 years. In addition, there must not be a pattern of noncompliance by the facility's parent organization.

Has the same violation (or closely related violation) occurred at the same facility within the past 3 years?

Yes:

No: X

Please describe the corporate structure, including all parent and subsidiary corporations. At a minimum, provide the parent company's name and Dun & Bradstreet Number.

**Lawrence Technological University's Dun & Bradstreet number is 074226572.**

State whether or not the violation (or closely related violation) occurred within the facility's parent organization within the past 5 years. N/A.

Yes:

No:

**X. CONDITION 8 - OTHER VIOLATIONS EXCLUDED.** The policy excludes penalty reduction for violations that resulted in serious actual harm, which may have presented an imminent and substantial endangerment to public health or the environment, or which violate the specific terms of any order, consent agreement, or plea bargain.

State whether or not the violation resulted in serious actual harm to human health or the environment; provide your rationale for making this conclusion.

**No: The character of the violations: See Schedule A.**

State whether or not the violation may have presented an imminent and substantial endangerment to human health or the environment; provide your rationale for making this conclusion.

**No: The character of the violations: See Schedule A.**

Identify all environmental Federal, state, or local judicial or administrative orders, or consent agreements under which this facility operates; state whether the violation violated any specific terms of these orders or agreements.

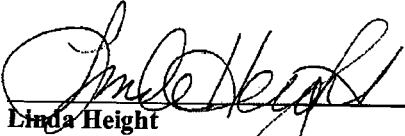
**None.**

**XI. CONDITION 9 - COOPERATION.** Provide any other information you deem relevant that demonstrates your cooperation as requested by the EPA in determining applicability of this policy.

**Lawrence Technological University believes it is performing in all respects in accordance with the agreement entitled, "Audit Policy Agreement By and Between The Michigan Colleges Foundation, The Participating Institutions And The United States Environmental Protection Agency, Region 5."**

### **CERTIFICATION**

I certify under penalty of law that this document was prepared at my direction, and to the best of my knowledge and belief, the information submitted is true, accurate and complete. Furthermore, I understand that eligibility for, and any reduction of penalties under, the EPA Audit Policy and this Agreement is conditioned on the truth and completeness of this disclosure.

  
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**Linda Height**  
**Vice President, Financial and Administration**  
**Lawrence Technological University**

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**Date** 5/20/2010

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